

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TEXAS MEDICAL ASSOCIATION,
DR. ADAM CORLEY, and TYLER
REGIONAL HOSPITAL, LLC,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
OFFICE OF PERSONNEL MANAGEMENT,
DEPARTMENT OF LABOR,
DEPARTMENT OF THE TREASURY,
XAVIER BECERRA *in his official capacity*
as the Secretary of Health and Human
Services; KIRAN AHUJA *in her official*
capacity as the Director of the Office of
Personnel Management, JANET YELLEN *in*
her official capacity as the Secretary of the
Treasury, and MARTIN J. WALSH *in his*
official capacity as the Secretary of Labor,

Defendants.

Civil Action No. 6:22-cv-00450

NOTICE OF RELATED CASES

PLEASE TAKE NOTICE that plaintiffs Texas Medical Association, Dr. Adam Corley, and Tyler Regional Hospital, LLC, hereby identify the following related case pending in the Eastern District of Texas before the Honorable Judge Jeremy D. Kernodle:

Texas Medical Association, et al. v. United States Department of Health and Human Services, et al., Civil Action No. 6:22-cv-00372-JDK (“*TMA II*”).

In addition, Judge Kernodle previously presided over the case *Texas Medical Association, et al. v. United States Department of Health and Human Services, et al.*, Civil Action No. 6:21-cv-00425-JDK (“*TMA I*”). This case, *TMA I*, and *TMA II* all involve challenges to agency rules implementing the No Surprises Act in ways that (1) unlawfully depress the “qualifying payment

amount” (QPA) and shield insurers’ QPA calculations from meaningfully scrutiny by healthcare providers (this case), while (2) unlawfully elevating the QPA’s importance in the arbitration process established by the Act for resolving reimbursement dispute between providers and insurers (*TMA I & II*). Because of the substantial overlap between the statutory and regulatory background of these cases, judicial efficiency would best be served by assigning this case to Judge Kernodle.

Dated: November 30, 2022

Respectfully submitted,

/s/ Penny P. Reid

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